

Power Source Disclosure Program Draft Regulations and Reporting Form Consolidation

Staff Workshop November 5, 2010



Agenda

9:00 am – 9:15 am Welcome

9:15 am – 9:30 am Power Source Disclosure Program Draft

Regulations - Overview of Proposed Changes

9:30 am -10:00 am Discussion and Questions on Draft

Regulations

10:00 am — 11:00 am Discussion on Reporting Form Consolidation

11:00 am – 12:00 pm Additional Comments/Questions as

Necessary



Power Source Disclosure Draft Regulations

BACKGROUND

- The California Legislature passed Senate Bill 1305 in 1997 to provide reliable, accurate, and timely information for consumers regarding fuel sources for electric generation offered for retail sale in California.
- Under SB 1305, retail suppliers who made claims about the environmental, fuel or technology characteristics of their power were required to disclose their actual mix to customers; those who did not make any such claims could instead choose to identify net system power as their power mix on Power Content Labels (PCLs).
- Assembly Bill 162 was signed into law in 2009, which modifies the Power Source Disclosure Program to (a) assure that all retail suppliers in California sufficiently disclose their individual fuel mix information, (b) increase the clarity of the information that is provided, (c) coordinate the Power Source Disclosure Program with the Renewables Portfolio Standard Program, and (d) amend and, in some cases, eliminate some disclosure requirements.



- SECTION 1391 DEFINITIONS
 - Removes any reference to language referring to "claim of specific purchases" and "net system power."
 - Includes a new definition for "unspecified sources of power" (electricity not traceable to specific generation sources by any auditable contract trail, as now defined in section 398.2 of the Public Utilities Code), and updates the definition of "specific purchase" to align with the language in the code for unspecified sources of power.



- SECTION 1391 Cont.
 - Changes the term "eligible renewable" to "eligible renewable energy resource" to align with the RPS program's definition.
 - Updates definitions of eligible renewable energy resource fuel types to align with definitions in the Renewable Energy Program Overall Program Guidebook, 2nd Edition.
 - Includes a new fuel category for "other eligible renewable energy resources" to include fuel types such as ocean wave, ocean thermal and tidal current.



- SECTION 1392 GENERATION DISCLOSURE
 - Updates reporting categories for fuel types to reflect the same changes made in sections 1391 and 1393 of the regulations.
 - Removes references to "claims" of specific purchases, and replaces the term "claim" with "disclosure".



- SECTION 1393 Retail Disclosure to Consumers
 - Removes all reference to "general disclosures," "quarterly disclosures," and "net system power."
 - Removes the option for a utility to claim net system power as its annual fuel mix, and removes the formula to include net system power contributions as part of the utilities' specific purchase claims.
 - Removes the requirement for utilities to provide quarterly disclosures to their customers and to the Energy Commission.



SECTION 1393 Cont.

- Updates reporting categories for fuel types to reflect the same changes made in sections 1391 and 1392 of the regulations (from new language in section 398.4 of the Public Utilities Code).
- Includes two new fuel type categories in the power content label (PCL): "Unspecified sources of power" and "Other renewable." Also includes new language specifying what information should be included in these categories.



SECTION 1393 Cont.

- Includes new definition of "total CA system electricity," –
 the sum of all in-state generation and net electricity
 imports by fuel type.
- Includes language in statute that states: "Specific purchases must only be from sources connected to the WECC interconnected grid."
- Clarifies that only purchases that cannot be traced to specific generators can be included in "unspecified sources of power."



SECTION 1393 Cont.

- Eliminates the requirement for including net system power on all PCLs, and replaces net system power with total CA system electricity.
- Specifies provisions for including a link in any disclosure by electronic mail to an online PCL. The link must be a direct link to the label, and must be preceded by the language: "View (*utility name*)'s energy resource mix."
- Moves detailed formatting guidelines for PCLs to Appendix
 A.
- Removes the requirement to compare annual PCLs to quarterly PCLs and explain any variance.



- SECTION 1394 ANNUAL FILING WITH THE ENERGY COMMISSION
 - Changes Annual Report due date from March 1 to June 1.
 - Removes reference to the Energy Commission Certificate Program.
 - Removes requirement to submit quarterly PCLs to the Energy Commission.
 - Inserts provision for the Energy Commission to verify claims of unspecified purchases



APPENDICES

- Appendix A now includes formatting guidelines for PCLs.
 - 1st PCL footnote will now reference "unspecified sources of power" and will state: "Unspecified sources of power means electricity from transactions that are not traceable to specific generation sources."
- Appendix B now includes instructions for agreed upon procedures verifying information disclosed by each utility.
 - The instructions now reference Auditing Standards adopted by the Public Company Accounting Oversight Board (PCAOB).



APPENDICES cont.

Removes language previously included in Appendix B which describes the Energy Commission Certificate Program, a program which is no longer used by the Energy Commission. Inserts provision for the Energy Commission to verify claims of unspecified purchases



Power Source Disclosure Draft Regulations

STAKEHOLDER QUESTIONS

- How might unbundled RECs and/or null power be counted in the Power Source Disclosure Program?
- If various products are still differentiated and reported to the Energy Commission on the Annual Reporting Form, should there be clarifying language in the regulations to describe how products are counted, and what programs they are eligible for (ie. RPS)?
- If the proposed regulations are adopted, how would the changes affect average cost/savings of reporting to the Power Source Disclosure Program?



Power Source Disclosure Draft Regulations

NEXT STEPS

- Comments on these proposed changes will be accepted until COB November 19, 2010.
- Staff will consider comments and incorporate changes as necessary into the draft regulations, and will then submit the proposed regulations to the Office of Administrative Law (OAL) for publication in the California Regulatory Notice Register.
- The publication of the proposed regulations will initiate the OAL's
 45 day public comment period.
- The public comment period may be followed by a public hearing, if deemed necessary, where stakeholders may address any outstanding concerns before the regulations are adopted at an Energy Commission Business Meeting.



Renewable Energy Office POU Reporting Spreadsheet

Statutes Noted in Spreadsheet

- SB 1305/AB 162 Power Source Disclosure Program
- SB 107 Renewables Portfolio Standard
- AB 380 Resource Adequacy
- Senate Bill 1 CA Solar Electric Incentive Programs
- Information collected for the Energy Commission's online POU Contract Database



POU Reporting Spreadsheet

California Energy Commission POU Reporting Spreadsheet

Utility Name Calendar Year Covered in this Report Form Completion Date

This reporting form has been created to replace prior data collection forms, including data requested and/or collected for the Power Source
Disclosure Program (SB 1305/AB 162 Annual Report Form), the RPS Program (CEC-RPS-PDU Form and PDU Contract Database), and the SB 1
Solar Program Status Report. This form will additionally serve to supplement biannual data collection for AB 380, in years that data is not submitted to
the California Energy Commission's Electricity Analysis Office. The color scheme below refers to the various colors used in Schedules 1-5 and their
associated mandates or requests.

Schedules 1 and 3: Please complete annually and submit via e-mail to RPSTrack@energy.state.ca.us. Additionally, please print out the file, sign the attestation, and mail to the address below.

Schedule 2: Please complete biannually (every other year) during even-numbered years and submit with Schedules 1 and 3.

Schedule 4: This Schedule will be automatically populated with data from Schedules 1 & 3.

Schedule 5: Please complete annually and submit via e-mail to renewable@energy.state.ca.us. Schedule 5 is due on June 1 of each year, for previous year reporting.

California Energy Commission e-mail: RPSTrack@energy.state.ca.us Renewable Energy Program California Energy Commission 1516 Ninth Street, MS-45 Sacramento, CA 95814-5512

Responses to this request are due on June 1 of each year.

For Schedules 1-4, please direct questions to Lorraine Gonzalez at (916) 654-3842 or Igonzale@energy.state.ca.us.

For Schedule 5, please direct questions to Sherrill Neidich at (916) 651-1463 or sneidich@energy.state.ca.us.

NOTE: Information submitted in this report is not automatically held confidential. If your company wishes the information you submit to be held in confidence, it will be necessary to submit an application for confidentiality.

Color scheme:

Orange:	Mandated by AB 162 for the Power Source Disclosure Program
Purple:	Mandated by SB 107
Green:	Mandated by AB 380 and collected by the Renewable Energy Office biannually
Blue:	Data collected for the Energy Commission POU Contracts Database
Tan:	Mandated by Senate Bill 1 and collected by the Renewable Energy Office annually
White:	Data requested on a voluntary basis by the Benewable Energy Office
Red:	Data to be filled out by Utility unless Utility prefers the Energy Commission to fill out



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 1 – Provides actual procurement from renewable resources in the preceding calendar year. Also provides information on RPS progress – This form is completed annually and is due June 1st for previous year reporting.

CALIFORNIA ENERGY COMMISSION

Renewables Schedule 1

Renewables Schedule 1.	Due June 1	I annually for the prior calendar year.	

13 Enter the Energy Information Administration identification number for the generating facility, if available.

*The amount in Row 39 should equal the amount in Row 35, minus any amounts in Rows 36-38.

15 Indicate estimated purchases or utility owned generation under this contract for the year following the current calendar year.

column for utility owned generation, that is not used to meet onsite load. This data must be collected in k/w/h, per section 398.5 of the Public Utilities Code.

Facility/Contract Name ¹	Owner/Seller ²	Technology 3	Primary Fuel Type ⁴	Secondary Fuel Type ⁴	Facility Status ⁵	Contract Start Date ^E	Contract Expirati on Date (If Known) ⁷	Facility Namepla te Capacity (MV)	Location 3	CEC Plant ID ¹⁸	¥REGI S ID ¹¹	RPS ID ¹²	EIA ID ¹³	Purchases for Reporting Year (kVh) ¹⁴	Expected Purchases for Current Year ¹⁵	Comments
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											I					
Goal (Tarqot%/TarqotYoar)																
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Rotail Salos for Prior Calondar Yoar (M	Wk)															
Actual Procuroment (Renowable and N	lan-Ronowablo) far the Yoar	Ropartod (MWh)														
POU Eligiblo Ronowablo Pracuromont I	or the Year Reported (MWh))														
unt of Procured Energy from Hydro Faci	lition: 30 MW Counted ar Re	nowablo (MWh)														
indled RECs for RPS? If so, amount proc	arod (MWh)															
r Ronowablo Claims and Purchasos from	nan-CEC Eliqible Technalas	gior (MWh)														
CEC Eligible Renewable Procurement f	ar the Year Reparted (MWh))*														
utility purchased energy from one fa n a facility, indicate the facility name. dicate the wholesale seller of energy elect type of renewable technology f elect the primary fuel used from the c	or RECs. If utility owned rom the drop-down optic	, I, state "utility owr ons. If other, pleas	ed." e specify in the Comment	s section.					cilities included in	the asset ar	e unknown, i	ndicate th	e name of I	the asset. If RECs	were purchased	
lect the primary fuel used from the o isting refers to facilities that have co ened. Repowered refers to the repl	ontinuously been online si	ince before 2005. I	New refers to any new pr	oject that has come o	online on or aft	er January 1, 2	2005. Řestart	refers to a fa	cility with an origin	al online d	ate before 2	005, that H	ad perman	nently shut down, b	ut has	
ened. Hepowered rerers to the repi icate the first date that electricity v			saming obtain the total vi	are or the project (st	.c .nro English	my cremorchoc	TOI TUITMET	ormacionj.								
te the final delivery date of the pro			/agreement													
ter the total nameplate capacity of (and the contract	agrasment.													
dicate the location of the facility, pr																

14 Indicate the total annual kWh purchased, including line losses, for the previous calendar year (Public Utilities Code Section 338.5(a)(1)). For facilities being tracked in WREGIS, please submit a WREGIS Compliance Report to verify data in this column. Additionally, use this



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 2 – Provides information in IEPR off-years regarding expected energy from renewable resources that are anticipated to enter a POU's portfolio during the current calendar year or later. This schedule is designed to contain values for resources which did not provide energy to the utility during the preceding year. If a resource has provided energy during the previous calendar year, it is noted in Schedule 1, and does not need to be entered in Schedule 2 – This form is completed biannually, during even-numbered years, and submitted with Schedules 1 and 3.





Renewables Schedule 2

Renewables Schedule 2 - To be completed every even numbered year - 2012, 2014, etc.

INSTRUCTIONS: Please list all planned purchases of renewable energy under long-term contract (\approx 3 months). This schedule is designed to contain values for resources which did not provide energy to the utility during the preceding year. If a resource has provided energy during the previous calendar year, it should be noted in Schedule 1, and need not be entered in Schedule 2. Please enter applicable corresponding information for these facilities. If you need additional rows, please click on the "Insert Row" button above. This tab includes information collected on Schedule 1 of the Annual Report to the Power Source Disclosure Program form.

Facility Name ¹	Technolog y ²	Primary Fuel Type ³	Secondary Fuel Type ³	Owner/Seller ⁴		Date (If	Share (2) of Total Generation	Facility Nameplate Capacity	Estimated Generation for first full year of operation (MWA) ¹⁸	CREZ ¹¹	DRECP 12
											\vdash

1 If energy will be purchased from one facility, indicate the name of the facility. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset. If the facilities included in the asset are unknown, indicate the name of the facility. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset are unknown, indicate the name of the facility. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset are unknown, indicate the name of the facility. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset. If the facilities included in the asset are unknown, indicate the name of the facility. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset are unknown, indicate the name of the facility. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset are unknown, indicate the name of the asset. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset are unknown, indicate the name of the asset. If energy will be purchased from a portfolio of assets, list all the facilities included in the asset are unknown, indicate the name of the asset. If energy will be purchased from a portfolio of asset and a second from the asset are unknown, indicate the name of the asset are unknown indicated and indicate the name of the asset are unknown indicated and indicated and indicated are unknown indicated and indicated and indicated are unknown indicated and indicate

2 Select type of renewable technology from the drop-down options. If other, please specify.

3 Select the primary fuel used from the drop-down options. If other, please specify. For multi-fuel facilities, also select from the secondary fuel type column.

4 Indicate the wholesale seller of energy or RECs. If utility owned, state "utility owned."

5 Select status of the project from drop-down options. "New, Planned" refers to any new planned project that is expected to come online on or after January 1, 2005. "New, Under Construction" refers to any new project that has begun construction and expected to come online on or after January 1, 2005. "New, Under Construction" refers to the planned refers to a facility currently replacing prime generating equipment equaling at least 80% of the total value of the project (see RPS Eligibility Guidebook for further information). "Existing" refers to facilities that have continuously been online since before 2005. "Restart, Planned" refers to a facility with an original online date before 2005, that had permanently shut down, but is planned to reopen.

6 State the expected delivery date of the product(s) being purchased.

7 State the final delivery date of the product(s) being purchased under the contract/agreement.

8 Enter the share of total generation under the current contract/agreement.

9 Enter the total nameplate capacity of the facility.

10 Enter the estimated annual generation for the first full calendar year of operation in MWh.

11 If the facility is in a Competitive Renewable Energy Zone, indicate which zone. Information on CREZ is available at http://www.energy.ca.gov/reti/index.html.

12 The Desert Renewable Energy Conservation Plan is under development. Please indicate whether this project will be subject to the DRECP. For more information, see http://www.energy.ca.gov/33by2020/documents/index.html.



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 3 – Provides information on non-renewable energy under long-term contract (≥ 3 months), and/or aggregate spot and short-term purchases for the preceding calendar year – This form is completed annually and is due June 1st for previous year reporting.



Non-Renewables Schedule 3

Non-Renewables Schedule 3 - Due June 1 annually for the prior calendar year.

INSTRUCTIONS: Please list all purchases of non-renewable energy under long-term contract (≥3 months), and/or aggregate spot and short-term purchases for the reporting year listed above. For aggregate spot and short-term purchases, use only one row and enter Contract Start Date and Expiration Date as "1/01/2010" and "12/31/2010", respectively. Please enter applicable corresponding information for each facility/contract. Do not enter information for utility owned generation. If you need additional rows, please click on the "Insert Row" button above. This tab includes information collected on Schedule 1 of the Annual Report to the Power Source Disclosure Program form.

Facility/Contract Name ¹	Technology ²	Contract Start Date ³	Contract Expiration Date ⁴	Comments

¹ If contract requires delivery of energy from a specific facility or facilities, provide the facility name(s). If not, enter the counterparty to the contract. For energy purchased under short-term contract or spot energy, indicate "short-term/spot energy."

² Select the technology/primary fuel used from the drop-down options. If other, please specify. For contracts that do not specify a facility or facilities, including short-term/spot purchases, select "unspecified."

³ For contracts in existence prior to the reporting year and long-term contracts beginning during the reporting year, enter contract start date. For short-term contracts/spot purchases, enter the first day of the reporting year.

⁴ For short-term contracts and spot purchases, enter the final day of the reporting period. For contracts in place beyond the reporting period or expiring during the reporting year, enter the actual expiration date of the contract.

⁵ Indicate the total annual kWh purchased (including line losses) for the reporting year (Public Utilities Code Section 398.5(a)(1)). This data must be collected in kWh, per section 398.5 of the Public Utilities Code.



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 4 - Automatically populated with data from Schedules 1 & 3 to provide an aggregated fuel mix by resource type. This fuel mix will provide total MWh purchased, and will additionally provide the percent of total purchases that each resource type represents.



Fuel Mix Schedule 4

Fuel Mix Schedule 4 - This Schedule will be automatically populated with data from Schedules 1 & 3.

	2010 Fuel Mix	
	MWh Purchased	Percent of Total
Specific Purchases		
Renewable	0	096
Biomass & Biowaste	0	096
Geothermal	0	096
Small Hydro	0	096
POU Eligible Large Hydro	0	0%
Solar	0	096
Wind	0	096
Other Renewable	0	096
Coal	0	096
Large Hydro	0	096
Natural Gas	0	096
Nuclear	0	096
Other	0	0%
Generic Power		
(Unspecified) Purchases	0	096
Total Purchases	0	



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Schedule 5 – Provides information on key solar program information mandated by Senate Bill 1 – This form is completed annually and is due June 1st for previous year reporting.





Schedule 5 – SB 1 Solar Program Status Report

Schedule 5 - SB 1 Solar Program Status Report - To be completed annually.							
Utility Name:		Contact Person:					
Program Reporting Period: January 1,	2010 to Decembe	er 31, 2010					
	Program Act	ivities					
Summary of Program Activities:							
Future Opportunities and Challenges:							
	Program Perfo	rmance					
Number of Applicants							
EPBI EPBI							
PBI							
Total Systems Installed	Installed	Total					
	Capacity (kW)*	Generation					
Residential - Market Rate							
Residential - Affordable / Low Income							
Commercial							
Non-Profit							
Government							
Industrial							
Agricultural							
Mixed-Use							
Total (of all sectors)							
Total Expenditures Incentives Paid	Incentives	SB 1 Funding	Funds	kW/MW Goal			
	Reserved	(Life of Program)	Remaining	(Life of Program)			
Add	itional Informatio	n (as available)					
Known customer application issues/ap	plications not app	proved:					
Non PV solar systems installed:							
Facility end use information:							
Incentive and funding disaggregation (e.g., by incentive type, by end use, etc):							
Any training or builder/installer assistance:							
Any auditing of installed systems:							
Any auditing of installed systems:							
Any auditing of installed systems: Solar program information on website	at:						



Renewable Energy Office POU Reporting Spreadsheet (cont'd)

Attestation Form – This form is required for Schedules 1 and 3 only. This form needs to be completed, printed, signed, and mailed to the Energy Commission.

California Energy Commission POU Reporting Spreadsheet



Attestation Form

	ATTESTA				
I, (print name and title)					
declare under penalty of perjury that the star true and correct and that	tements contained in t	the Applicable Schedu	iles submitted to the	California Energy Comi	nission are
de and correct and that					
l, as an authorized agent of (print name of cor	mpany)				
have authority to submit this report on the c	ompany's behalf.				
I further declare that the kilowatt-hours clair only once by any party.	med as actual purchase	s in Schedules 1 and 3	are, to the best of my	knowledge, claimed o	nce and
l understand that the Energy Commission res	erves the right to requ	est supplemental doc	umentation to this fil	ing for purposes of veri	fication.
Signed:					
Dated:					
Executed at:					
СО	NTACT INFORMAT	ION			
Name:					
name					
Title:					
Company Name:					
Address:					
Address					
City, State, Zip:					
Phone:					
Fax:					
E-mail:					



Renewable Energy Office Retail Seller Reporting Requirements

- Power Source Disclosure Program
 - Annual Report to the PSDP
 - Annual Power Content Label
 - Agreed Upon Procedures/Audit
- Renewables Portfolio Standard
 - Interim Tracking CEC-RPS-Track form
 - WREGIS Compliance Report/WREGIS Attestation
 - CEC-Delivery form for delivery data not in WREGIS



Retail Sellers' RPS Reporting using Interim Tracking and/or WREGIS and PSDP reporting

Reporting Year	RPS Procurement Reporting	PSDP Procurement Reporting
2007 and earlier	Interim Tracking (reporting completed)	PSDP Annual Report (reporting completed)
2008	WREGIS and/ or Interim Tracking System	PSDP Annual Report (reporting completed)
2009	WREGIS	PSDP Annual Report (2009 reporting completed)
2010 and subsequent years	WREGIS	PSDP Annual Report – updated format



Questions



Lorraine Gonzalez
Power Source Disclosure Program Lead
(916) 654-3842
lgonzale@energy.state.ca.us

Stakeholder Comments on Draft Regulations due COB November 19, 2010